

THE HON'BLE SRI JUSTICE V. ESWARAIAH

W.P.No.7764 of 2005

Dated:08-02-2007

Between:-

Dwarampudi Dhani Reddy

..Petitioner

And

The Superintendent of Police,
West Godavari district at Eluru and four others.

..Respondents.

THE HON'BLE SRI JUSTICE V. ESWARAI AH

W.P.No. 7764 of 2005

:O R D E R:

The petitioner seeks to issue a writ of Mandamus directing the Superintendent of Police, West Godavari district to register a case based on his complaint and further direct the respondent Nos. 2 to 4 not to interfere with the civil disputes pending between the petitioner and the 5th respondent.

Counter has been filed by the third respondent stating that based on the written representation received from the petitioner by the 4th respondent, a case in crime No.47 of 2005 was registered for the offences under Sections 143, 447, 342 and 384 r/w 34 IPC on 22-04-1985. The investigation was already completed and the complaint was found as 'non-cognizable' and 'civil in nature' and accordingly a final report has been submitted on 29-10-2005 before the learned Additional Judicial First Class Magistrate at Tadepalligudem referring the case as 'non-cognizable' and 'civil in nature'. In view of the fact that already criminal case has been registered and final report has been filed, no further action needs to be taken and the writ petition is liable to be dismissed. Accordingly, the writ petition is dismissed with liberty to the petitioner to take appropriate action, if he is aggrieved by the said report in accordance with law. No costs.

Dated: 08-02-2007.
Pvks/*

V. ESWARAIAH, J